

SENATE ENVIRONMENTAL RESOURCES
COMMITTEE
DATE 2-12-07
BILL NO. SB 442

**SB442 ABANDONED MINE FUNDING
DEPARTMENT OF ENVIRONMENTAL QUALITY
TESTIMONY – February 12, 2007**

Mr. Chairman, members of the Committee. For the record, I am Sandi Olsen, Administrator of the Remediation Division of the Department of Environmental Quality. The department requested this legislation in response to changes in federal law that occurred December 20, 2006. At that time the federal Surface Mining Control and Reclamation Act was re-authorized and extended through 2021. As a result of that extension, Montana is required to designate in state law its use of abandoned mined land grant funds for abandoned mine land cleanup. This bill, if passed, would fulfill that requirement.

This grant allows the department to cleanup abandoned coal, hard rock and opencut mines sites with federal monies under certain conditions. The department would also like to propose one minor amendment on Line 19 – to insert “or materials” after “minerals.” I apologize to you and to Senator Kaufman for not identifying the need for this language during drafting. It turns out that Montana’s opencut act uses the word materials rather than minerals. Omitting “materials” would make our cleanup process unnecessarily restrictive. I apologize that we did not catch this sooner. The department can provide the bill drafter with hard copy of this proposed language before executive action.

Using these grant funds, the Montana Abandoned Mine Lands program (AML) which has been in place since 1977, has cleaned up contamination and restored the environment at historic coal and hardrock mines that date back to the late 1800’s and has address safety issues related to adits and shafts. There are no financially viable parties that can be held responsible under other statutes for cleaning up these sites.

The program has successfully reclaimed nearly 2000 large and small coal and hardrock sites utilizing approximately \$95 million in federal grant monies since the program was approved by the US Department of the Interior’s Office of Surface Mining.

The AML program is still in the process of reclaiming abandoned coal and hardrock mines and currently has 145 high priority hardrock sites identified as needing reclamation. The cost of cleanup of these sites alone is estimated at just over \$100M.

This change in statute will ensure our continued compliance with federal requirements and thus the continued availability of federal funds for this purpose. If these funds were not available, Montana would be unable to address hundreds of remaining abandoned mines sites where residual mine wastes: contribute heavy metals to surface waters in amounts that exceed Montana’s water quality standards, contaminate groundwater, and present a direct contact hazard to people.

I encourage your support of this bill. Thank you.